

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

STEPHANIE WENNER and GRANT
WENNER, husband and wife
4083 Robert Road
Emmaus, PA 18049

and

JUDITH SNYDER and RICHARD
SNYDER, husband and wife
1915 East Tremont Street
Allentown, PA 18109

and

CHRISTOPHER SNYDER,
1915 East Tremont Street
Allentown, PA 18109
Plaintiffs

-v-

THOMAS C. RIEBEL
R.D. 2, Box 655
Selbyville, DE 19170
Defendant

JURY TRIAL DEMANDED

NO: 05-589 (GMS)

JOINT STATUS REPORT

Pursuant to this Court's Notice of Scheduling Conference, entered December 8, 2005, the undersigned counsel for Stephanie Wenner and Grant Wenner, Judith Snyder and Richard Snyder and Christopher Snyder (collectively, "Plaintiffs") and Thomas C. Riebel ("Defendant") hereby submit to the Court this Joint Status Report for the status and scheduling conference to be held on Monday, December 19, 2005 at 2:00 p.m.

Matters which the court will take up at the status and scheduling conference will include the following:

1. Jurisdiction and Service

Plaintiffs and Defendant agree that, at all relevant times, the Plaintiffs were citizens of the Commonwealth of Pennsylvania and the Defendant was a citizen of the State of Delaware, and that this Court has diversity jurisdiction pursuant to 28 U.S.C. § 1332. The Plaintiffs intend to prove that the matter in controversy, exclusive of

interest and costs, exceeds the sum specified in 28 U.S.C. § 1332. No known parties remain to be served.

2. Substance of the Action

The factual and legal bases for Plaintiffs' claims and Defendant's defenses are set forth in the Complaint and the Answer in this matter, and will be supported with timely evidentiary submissions to the Court.

3. Identification of Issues

Plaintiffs' damages and Defendant's liability remain in dispute.

4. Narrowing of Issues:

Plaintiffs and Defendant agree that issues in litigation may be narrowed by agreement. There are currently no dispositive issues appropriate for decision on motion.

5. Relief

Plaintiffs seek unliquidated damages for their injuries, pain and suffering, as well as compensation for medical bills which have not yet been fully quantified, and in the case of Judy Snyder, medical treatment is ongoing. Plaintiff Judy Snyder also seeks compensation for past and future wage loss due to absences necessitated by her injuries and treatment.

6. Amendment of Pleadings

The Plaintiffs and the Defendant foresee no need to amend the pleadings.

7. Joinder of Parties

The Plaintiffs and the Defendant anticipate the joinder of no further parties to this action.

8. Discovery

Plaintiffs intend to serve Requests for Admissions upon Defendant, as to liability. Furthermore, Plaintiffs anticipate calling treatment health care providers as factual witnesses in this case, but request a period of 120 days in which to identify other experts, if any, and to serve expert reports. Defendant reserves the right to have Plaintiffs examined by the physician of his choosing. Such physician will be named after medical records are exchanged. Plaintiffs reserve the right to depose the Defendant, and Defendant reserves the right to depose Plaintiffs, at times agreeable to the parties.

9. Estimated Trial Length

Three days.

10. Jury Trial

The Plaintiffs and the Defendant hereby agree to a jury trial.

11. Settlement

Referral to mediation is requested.

By their undersigned counsel, the Plaintiffs and the Defendant hereby state that they have conferred with one another about each of the above matters.

December 12, 2005

/s/ Paul J. Dougherty III

Paul J. Dougherty III (#3825)
GEBHARDT & SMITH LLP
901 Market Street, Suite 451
Wilmington, Delaware 19801
302-656-9002
302-429-5953
pdoug@gebsmith.com

and

Susan Wild
Gross McGinley LaBarre & Eaton, LLP
33 South Seventh Street
Allentown, Pennsylvania 18105-4060
(610) 871-1320
SWild@GMLE.com

Counsel for Plaintiffs

/s/ Dawn L. Becker

Dawn L. Becker
The Law Office of Dawn L. Becker
919 Market Street, Suite 725
Wilmington, Delaware 19801
302-778-5784
dabecker@geico.com

Counsel for Defendant